# Registry of the Specific Claims Tribunal of Canada

## 2009-2010

**Departmental Performance Report**

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**The Honourable John Duncan**
**Minister of Indian and Northern Affairs and Federal Interlocutor for Métis and Non-Status Indians**

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## Deputy Head's Message

As Deputy Head and Registrar, I am pleased to present the 2009-10 *Departmental Performance Report* of the Registry of the Specific Claims Tribunal of Canada.

The Registry of the Specific Claims Tribunal has responsibility for provision of services for the effective administration of the Specific Claims Tribunal. The mandate of the Specific Claims Tribunal is to adjudicate the specific claims of First Nations fairly and efficiently. On November 27, 2009, an interim Tribunal of three provincial superior court judges was appointed for a period of one year. This Tribunal will prepare for the conduct of hearings, including development of Tribunal Rules of Practice and Procedure.

The Registry of the Specific Claims Tribunal has a critical role to play in the success of the Tribunal and has been mindful of this in its development of core infrastructure and services during 2009-2010. The Registry is responsible for the effective, transparent, and accountable use of public resources and for reporting on planning and performance through instruments such as the Main Estimates and Report on Plans and Priorities. Close attention to financial stewardship resulted in operating expenditures falling well within the Registry's allocation.

Careful attention has been paid to human resources and business planning. Many key corporate policies have been established and core corporate management positions have been staffed. Renovations have been completed on Registry and Tribunal office space and a Multipurpose Tribunal Room has been built to serve as the electronic hub for Tribunal proceedings. This room incorporates a number of First Nations' cultural symbols and is designed to support the culturally sensitive hearings envisioned in the legislation.

The Registry has kept up-to-date on national and international court administration best practices, with a particular focus on advances in electronic administration and case management. It is working to create an electronic registry and case management system and an electronic court which will serve its clients well and contribute directly to accessibility and ease of use by users, efficiency, cost effectiveness, and transparency.

The Registry has established a Website and information materials to inform Canadians of the mandate and activities of the Specific Claims Tribunal. The Registry recognizes the importance of good communications and collaboration with stakeholders. In the months ahead, it will continue to work with key partners to help ensure that processes and procedures established for the Tribunal will be effective in meeting the objective of timely and just resolution of specific claims. As part of this commitment, the Registry will support the work of the interim Specific Claims Tribunal as it develops Rules of Practice and Procedure to guide Tribunal case management and hearing processes. We are very much looking forward to the work ahead and to the day when the Tribunal will begin to hear its first cases.

Deputy Head and Registrar
Registry of the Specific Claims Tribunal of Canada

# SECTION I: DEPARTMENTAL OVERVIEW

## Raison d'être and Responsibilities

October 16, 2009, marked the one-year anniversary of the coming into force of the *Specific Claims Tribunal Act,* the legislation that created the Specific Claims Tribunal and the Registry of the Specific Claims Tribunal of Canada.

The Specific Claims Tribunal is an adjudicative body with the express mandate of deciding First Nations' specific claims including claims related to non-fulfillment of treaties, fraud, illegal leases and dispositions of land, or inadequate compensation for reserve lands or other assets. The Registry is responsible for management of the administrative affairs of the Specific Claims Tribunal and exercises oversight over the use of all human and financial resources.

The timely resolution of specific claims related to longstanding grievances of First Nations will contribute to reconciliation and strengthened relationships between the Government of Canada and First Nations and between First Nations and all Canadians. Monetary compensation to successful claimants will provide First Nations with capital for investment in their communities.

The Registry will be responsible for managing the processing of claims including: intake and tracking of submitted claims; managing the logistics of proceedings (including scheduling of proceedings); processing warrants, subpoenas, and writs; managing information and records; and providing services to the public in both official languages. These services support the independent resolution of claims fairly, without delay, and with an efficient, effective, and economic application of resources. The Registry must exercise these functions in a manner that protects the administrative and adjudicative independence of the Specific Claims Tribunal. Independence is central to the role of the Specific Claims Tribunal and its ability to resolve claims fairly.

Although the Registry's offices are located in Ottawa, it provides services to Tribunal Members, First Nations, the Crown, and the public throughout Canada.

## Strategic Outcome and Program Activity Architecture (PAA)

The sole strategic outcome for the Registry, as approved by Treasury Board, is the efficient administration of the Specific Claims Tribunal.

This outcome provides long-term benefit for Canadians through the efficient and effective resolution of outstanding specific claims. The resolution of First Nations claims contributes to reconciliation and improved relationships between First Nations and the Government of Canada and between First Nations and the broader Canadian public. The efficient operation of the Tribunal will create value for Canadians by saving costs associated with traditional litigation and negotiation. Monetary compensation to successful claimants will provide First Nations with capital that may then be invested in their communities, contributing to the prosperity of First Nations in Canada.

| **STRATEGIC OUTCOME: EFFICIENT ADMINISTRATION OF THE SPECIFIC CLAIMS TRIBUNAL** | | |
|---|---|---|
| | **PROGRAM PRIORITIES** | **DESCRIPTION** |
| **PROGRAM ACTIVITY:**<br><br>**REGISTRY SERVICES**<br><br>**(Facilitate timely access to the Specific Claims Tribunal through client service, quality of advice, efficient and timely processing, and unbiased service delivery.)** | Develop and implement an electronic registry. | Effective case management is critical for quick resolution of claims and for overcoming logistic barriers to national access to the Registry.<br>Electronic registry will support efficient Tribunal operations across Canada. |
| | Integrated human resource and business plan. | Essential to operating the Registry in a cost-effective, fair, and transparent manner. |
| | Renovation of Registry offices, including culturally sensitive multipurpose room. | Renovated offices to fit logistical needs of the Registry and Tribunal.<br>Multipurpose room will provide digital hub to administer national activities of the Tribunal and a setting that is respectful of Aboriginal cultures. |
| | Public awareness strategy and campaign. | The focus of public awareness is the legal community, which represents First Nations in the resolution of treaty disputes, and which provides First Nations communities and the public with transparent electronic access to Registry records. |
| | Develop and measure customer service standards. | Customer service standards and evaluation provide objective criteria to ensure that the needs of clients and the public are being met. |

| LINK TO GOVERNMENT OF CANADA OUTCOMES: SOCIAL AFFAIRS — A VIBRANT CANADIAN CULTURE AND HERITAGE |
|---|

## Performance Summary

**2009–10 Financial Resources** ($ thousands)

| Planned Spending | Total Authorities | Actual Spending |
|---|---|---|
| 2,644.8 | 2,696.2 | 1,940.2 |

The difference between planned spending and actual spending is largely due to a surplus in salary dollars as staffing of the Registry has not been completed.

**2009–10 Human Resources** (FTEs)

| Planned | Actual | Difference |
|---|---|---|
| 19 | 7 | 12 |

The Registry has successfully staffed key corporate management positions. Corporate support positions will be staffed early in the next reporting period. Registry Services positions will be staffed once the Rules of Practice and Procedure are finalized and job descriptions have been completed.

| STRATEGIC OUTCOME: EFFICIENT ADMINISTRATION OF THE SPECIFIC CLAIMS TRIBUNAL | | | | | | |
|---|---|---|---|---|---|---|
| **Performance Indicators** | | **Targets** | | **2009-10 Performance** | | |
| Processing and hearing claims, while meeting the reasonable needs of parties, the judiciary, and the public, within the allocated budget. | | • Administer Registry within financial allocation.<br>• Overall client and public satisfaction with service levels.<br>• Resolution of complaints and other issues quickly and effectively. | | Registry activities were conducted consistent with the financial allocation.<br>Identified targets cannot be evaluated since no claims have been processed or heard. Claims will not be filed with the Tribunal until the Specific Claims Tribunal has developed Rules of Practice and Procedure and the case management system is fully operational. | | |
| **Program Activity** | **2008-09 Actual Spending** | ($ thousands) | | | | |
| | | 2009–10 | | | | **Alignment to Government of Canada Outcome** |
| | | **Main Estimates** | **Planned Spending** | **Total Authorities** | **Actual Spending** | |
| REGISTRY SERVICES (Facilitate timely access to the Specific Claims Tribunal through client service, quality of advice, efficient and timely processing, and unbiased | N/A | 2,372.8 | 2,644.8 | 2,696.2 | 1,940.2 | Social Affairs: A Vibrant Canadian Culture and Heritage |

| | | | | | | |
|---|---|---|---|---|---|---|
| service delivery.) | | | | | | |
| **TOTAL** | **N/A** | **2,372.8** | **2,644.8** | **2,696.2** | **1,940.2** | |

## Contribution of Priorities to Strategic Outcome

| STRATEGIC OUTCOME: |
|---|
| EFFICIENT ADMINISTRATION OF THE SPECIFIC CLAIMS TRIBUNAL |
| **PROGRAM ACTIVITY:** |
| REGISTRY SERVICES<br>(Facilitate timely access to the Specific Claims Tribunal through client service, quality of advice, efficient and timely processing, and unbiased service delivery.) |
| **LINK TO GOVERNMENT OF CANADA OUTCOMES:** |
| SOCIAL AFFAIRS – A VIBRANT CANADIAN CULTURE AND HERITAGE |

| Management Priorities | Type | Status | Linkages to Strategic Outcome |
|---|---|---|---|
| Develop and implement an Integrated Human Resources and Business Plan, with associated policies. | New | **EXCEEDED**<br>Researched best practices and developed an Integrated Human Resource and Business Plan (IHRBP) which clarifies business processes, and outlines a strategy for retention of qualified human resources through implementation of succession plans, professional development, learning and performance plans. The IHRBP is being implemented. | Implementation of best practices in human resources and business planning supports organizational stability and facilitates effective and efficient delivery of the Specific Claims Tribunal mandate. Careful attention to recruitment, training, and development activities supports values and ethics of the public service and will mitigate risks associated with skills gaps and turnover in small organizations. |
| Development of work descriptions, classification of levels and staffing of qualified people. | New | **SOMEWHAT MET**<br>Contracted with another organization for the development and drafting of job descriptions, employment posters, and staffing support activities to meet operational needs. | Clear and concise work descriptions that reflect Registry requirements and the hiring of qualified staff to fill positions enables the Registry to deliver services in a reliable, efficient, and effective manner. |

| Management Priorities | Type | Status | Linkages to Strategic Outcome |
|---|---|---|---|
| | | The Registry has successfully staffed key corporate management positions. Corporate support positions will be staffed early in the next reporting period. The Registry Services positions will be staffed once the Rules of Practice and Procedure are finalized and job descriptions have been completed.<br><br>All staff meet the language requirements of the position, 71% of staff are bilingual.<br>43% of staff belongs to employment equity groups. | Management's respect for the spirit and intent of the *Official Languages Act* and Treasury Board Employment Equity policies encourages qualified candidates to apply for positions at the Registry. Persons from Aboriginal and other employment equity groups and persons with appropriate bilingual qualifications are encouraged to apply for positions. |

| Operational Priorities | Type | Status | Linkages to Strategic Outcome |
|---|---|---|---|
| Develop and implement an electronic registry. | New | SOMEWHAT MET<br>Different options were researched and evaluated. A proven solution and cost effective case management system was selected.<br>The Registry contracted for the development and implementation of software and hardware to meet its identified operational needs. | The Case Management System which was identified and selected will:<br>- Enable clients to file documents electronically through the Registry Website.<br>- Allow for the efficient processing of claims across Canada.<br>- Reduce resources required for printing, binding, and delivery of documents.<br>- Allow Tribunal Members immediate access to Registry operations from |

| Operational Priorities | Type | Status | Linkages to Strategic Outcome |
|---|---|---|---|
| | | | their respective chambers across Canada.<br>- Facilitate remote administration of Tribunal proceedings.<br>- Provide an efficient way to track claims and claim trends, allowing issues to be identified and addressed quickly.<br>- Facilitate access to information by both internal and external clients and facilitate timely user access to business processes.<br>This work lays a foundation for completion of the electronic registry and case management system once the Rules of Practice and Procedure have been established. |
| Complete renovations of Registry offices, including culturally sensitive Multipurpose Tribunal Room. | New | **EXCEEDED**<br>Completed renovation of office space and a culturally sensitive Multipurpose Room that meets the business needs of the Registry, the Tribunal Members, and clients.<br>The renovations were completed within the prescribed deadlines and were within budget allocations. | Renovation of offices establishes work areas for staff and Tribunal Members.<br>The culturally sensitive Multipurpose Tribunal Room provides an electronic hub to administer national activities of the Tribunal and is a setting that is respectful of Aboriginal cultures, consistent with the mandate of the Specific Claims Tribunal.<br>This supports efficient and cost-effective conduct of business operations.<br>. |

| Operational Priorities | Type | Status | Linkages to Strategic Outcome |
|---|---|---|---|
| Assist the judiciary of the Tribunal in drafting Rules of Practice and Procedure. | New | **MET ALL**<br>Conducted research, provided information, analysis, and options to assist Tribunal Members' work on Rules of Practice and Procedure (for example: information on the Rules of other Tribunals (national and international models); information on treatment of oral evidence, strategies for the engagement of interested parties) | The Tribunal's Rules of Practice and Procedure will guide case management and hearing processes. The Rules of Practice and Procedure will directly affect both efficiency and cultural sensitivity in the conduct of Tribunal activities. |
| Make the Canadian public at large aware of the Tribunal's services and results.<br><br>Promote awareness among the stakeholder groups of the Registry's operations and procedures. | New | **MET ALL**<br>Developed a user-friendly, informative, Website; conducted outreach; created communications materials, participated in Aboriginal Awareness Week, provided guided tours of the facilities and responded to requests for information promptly.<br>Participated in court technology and court administration conferences; as well as Aboriginal litigation conferences and stakeholder meetings. | A public presence for the Tribunal fosters public awareness and understanding of the history of Crown-First Nations relations in Canada and the need for resolution of historical grievances. Public awareness is tied directly to results for Canadians, supporting reconciliation and strengthened relations between First Nations and the general public.<br>Information about Tribunal activities supports accountability and transparency.<br>Accurate and complete information helps First Nations and their legal counsel to make informed decisions to participate in the Tribunal and to participate in Tribunal activities effectively. |

## Risk Analysis

The creation of a new Tribunal with a unique and specialized mandate presents certain challenges and opportunities. In order to minimize the time required for the Tribunal to become fully operational, it was necessary to establish certain core Registry policies, functions, structures, and staff positions and to create offices and a Multipurpose Tribunal Room in advance of creation of Rules of Practice and Procedure by the Tribunal and decisions by the Tribunal which may affect location and conduct of specific claims hearings.

The 2009-10 Report on Plans and Priorities identified a potential for substantial delays in both the renovation of the office space (including the culturally sensitive Multipurpose Room) and the implementation of an electronic registry. Through effective planning and the use of tendered contracts with qualified service providers, the renovations were done on time and within budget. A strategy for the creation of an electronic registry and case management system was developed and contractors identified. This work will be completed once the Tribunal's Rules of Practice and Procedure have been established.

Staffing of qualified employees to meet the operational needs of a small organization with special needs and specialized skill requirements has been a major challenge. This challenge has been met through careful planning and recruitment and through the implementation of orientation, knowledge transfer, and training and development strategies. The Registry has staffed a number of key positions, and the remainder of the positions will be staffed in the year ahead. Recruitment will continue to take into account the need for qualified employees with the commitment and knowledge required to carry out the highly specialized work of the Registry in a culturally sensitive manner. Cross training will be a priority to ensure adequate cover-off despite small staff size in the event of unanticipated or challenging circumstances. The Registry will also continue to rely on service agreements with other organizations, where feasible, to obtain expertise and support in key corporate areas such as human resources.

It is not possible for the Registry to predict with any degree of certainty the number of specific claims it will be asked to address in its first years of operation. Claims will be brought to the Tribunal on the initiative of First Nations and there are other avenues that they may use for redress. If operational capacity and availability of Tribunal Members does not match the number of claims received, there could be consequences for timeliness of resolution of claims (in the event of a larger than anticipated caseload) or unnecessary capacity and expenditure of resources (in the event of a smaller than anticipated caseload). In order to manage this risk as much as possible, the Registry is monitoring the progress of claims in the Specific Claims process (identifying the numbers of claims that might become eligible for submission to the Tribunal as well as those already known to be eligible); it is also taking into account additional information provided by stakeholders.

The 2009-10 Report on Plans and Priorities identified a risk that either the Government of Canada or First Nations participants could come to view the Tribunal as not sufficiently independent of the parties appearing before it. The Registry has been careful to consistently operate "at arm's length" from the parties while, at the same time, ensuring transparency and

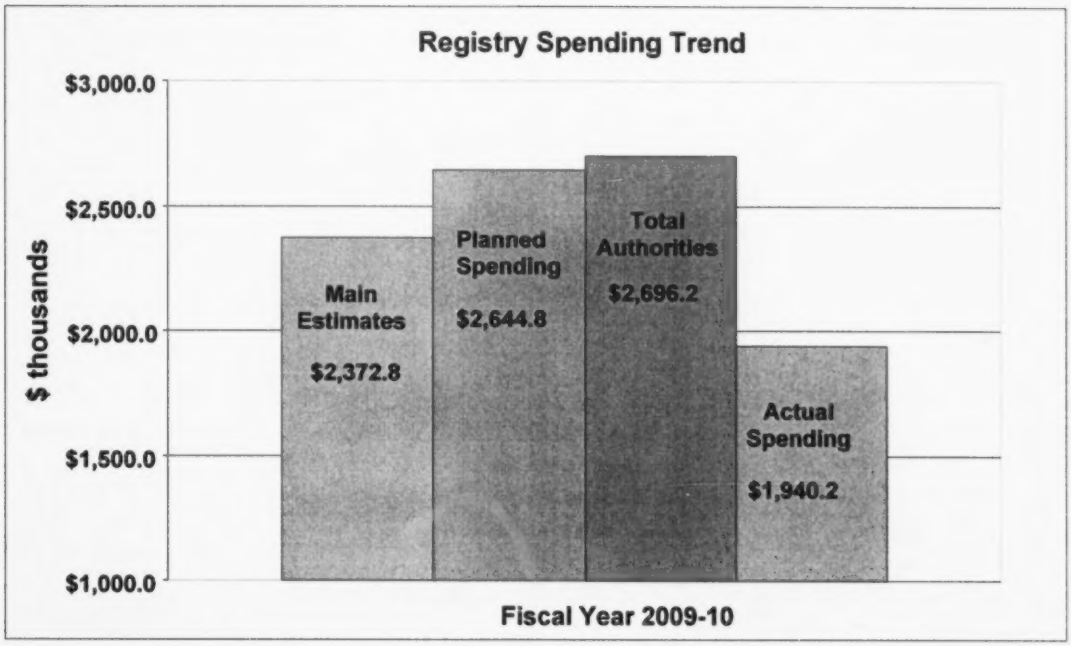
keeping interested parties fully informed about Tribunal activities through its Website, meetings, and other initiatives.

A final risk identified in the 2009-10 Report on Plans and Priorities was that the Rules of Practice and Procedure may not meet the needs of either the Crown or First Nations, prove inefficient, or not result in quick resolution of claims. To mitigate this risk, the Registry conducted research to support the Tribunal in its development of the Rules of Practice and Procedure (for example, information on treatment of oral evidence, rules and best practices of other adjudicative bodies). The Tribunal will be seeking feedback from interested parties as it moves forward in the development of the Tribunal Rules of Practice and Procedure. Direct input from the parties will be a key factor in mitigating this risk.

In November 2009, an interim Tribunal was appointed for one year and tasked with specific outcomes including development of the Rules of Practice and Procedure and analysis on how best to configure the Tribunal (number and location of Tribunal Members, part-time or full-time status). As the Tribunal makes decisions respecting processes and requirements, the Registry will need to respond and adapt to these, working within budgetary and other constraints. In 2009-10, timelines for the completion of staffing were adjusted in recognition that the job descriptions and qualifications for a number of Registry Services positions would need to be aligned with Tribunal decisions respecting process and, therefore, could be finalized only after these decisions have been made. Decisions respecting case management and the conduct of hearings by Tribunal Members have a direct impact on services required from the Registry and the policies and procedures that need to be put in place to support these.

Having a very minimal staff during the start-up of the Registry made it essential to prioritize work and manage workloads carefully. In the year ahead, the Registry will need to carefully assess the adequacy of resources available to meet ongoing Tribunal operational requirements, requirements for prudent governance and administration, and staff well-being.

## Expenditure Profile




## Voted and Statutory Items

($ thousands)

| Vote # or Statutory Item (s) | Truncated Vote or Statutory Wording | 2008-09 Actual Spending | 2009-10 Main Estimates | 2009-10 Actual Spending |
|---|---|---|---|---|
| 55 | Program Expenditures | N/A | 2,372.8 | 1,940.2 |
| (s) | Contributions to employee benefit plans | N/A | 195.3 | 62.2 |
| | **Total** | N/A | 2,568.1 | 2,002.4 |

# SECTION II: ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

## Strategic Outcome

| STRATEGIC OUTCOME: |
|---|
| EFFICIENT ADMINISTRATION OF THE SPECIFIC CLAIMS TRIBUNAL |
| **PROGRAM ACTIVITY:** |
| REGISTRY SERVICES<br>(Facilitate timely access to the Specific Claims Tribunal through client service, quality of advice, efficient and timely processing, and unbiased service delivery.) |
| **LINK TO GOVERNMENT OF CANADA OUTCOMES:** |
| SOCIAL AFFAIRS – A VIBRANT CANADIAN CULTURE AND HERITAGE |

| Performance Indicators | Targets | 2009-10 Performance |
|---|---|---|
| Processing and hearing claims, while meeting the reasonable needs of parties, the judiciary, and the public, within the allocated budget. | • Administer Registry within financial allocation.<br>• Overall client and public satisfaction with service levels.<br>• Resolution of complaints and other issues quickly and effectively. | Registry activities were conducted consistent with the financial allocation.<br><br>Identified targets cannot be evaluated since no claims have been processed or heard. Claims will not be filed with the Tribunal until the Specific Claims Tribunal has developed Rules of Practice and Procedure and the case management system is fully operational. |

## Program Activity by Strategic Outcome

| PROGRAM ACTIVITY: REGISTRY SERVICES | | | | | |
|---|---|---|---|---|---|
| 2009–10 Financial Resources ($ thousands) | | | 2009–10 Human Resources (FTEs) | | |
| Planned Spending | Total Authorities | Actual Spending | Planned | Actual | Difference |
| 2,644.8 | 2,696.2 | 1,940.2 | 19 | 7 | 12 |

| Expected Results | Performance Indicators | Targets | Performance Status | Performance Summary |
|---|---|---|---|---|
| Timely access to the Tribunal across Canada through client service, quality of advice, efficient and timely processing, and unbiased service delivery. | Number of certificates of readiness for hearing issued on an annual basis. | No Registry case back-log.<br><br>Attain or exceed benchmark in conduct and completion of Registry preparation of hearings. | Cannot be assessed.<br><br>First Nations cannot submit claims until the Tribunal has completed the Rules of Practice and Procedure and is ready to admit claims. | No claims have been filed to date. |
| | Measure of time between the receipt of a specific claim and the issuance of readiness for hearing certificate. | Average life of Registry files from opening of file to issuance of certificate of readiness for hearing within acceptable standards. | Cannot be assessed.<br><br>No claims have been filed to date. | No claims have been filed to date. |
| Promotion of awareness and understanding of the *Specific Claims Tribunal Act* and related Rules and procedures. | Level of awareness and understanding of Specific Claims Tribunal Rules and procedures within the core user groups, namely Counsel for the stakeholders (First Nations and Crown alike). | Attendance and participation in relevant Tribunal administration and/or Aboriginal law conferences and meetings involving stakeholders and/or their Counsel. | MET<br><br>Participated in court technology and court administration conferences, as well as Aboriginal litigation and Bar Association conferences, and stakeholder meetings. | By participating in court technology and court administration conferences, as well as Aboriginal litigation conferences, and stakeholder meetings, the Registry had the opportunity to keep abreast of |

| Expected Results | Performance Indicators | Targets | Performance Status | Performance Summary |
|---|---|---|---|---|
| | | | | needed information and to also share information about the Registry and distribute its information brochure.<br><br>Awareness of the Rules of Practice and Procedure cannot be assessed as they were not in place during this reporting period. |
| | Number and quality of information projects. | Various information media made available to relevant parties in both official languages.<br><br>Website information complete, accurate, and updated regularly. | MOSTLY MET<br><br>Website content updated frequently with current information and events. Communications materials developed in both official languages and distributed at various meetings, conferences, and other events. | |
| Smooth and efficient functioning of hearings. | Level of efficiency of Registry services in responding to inquiries, processing documentation submitted by clients, preparation of Tribunal file for hearing, and dissemination of decisions rendered by the Tribunal. | Completion of service standards and detailed targets for responding to enquiries, processing documentation, prompt scheduling of hearings, and issuance of decisions.<br><br>Achievement of service standards in delivery of all services. | Cannot be assessed.<br><br>No claims have been filed to date.<br><br>General inquiries are responded to promptly. | No claims have been filed to date. |
| | Extent of satisfaction of parties involved in the hearings with respect to Registry services such as facilities, staff, and response time. | Internal and external client satisfaction with Registry facilities and staff, plus quality and timeliness of Registry work as measured by implementation of an objective survey and by client feedback. | Cannot be assessed.<br><br>Although no claims have been filed to date, the Registry has provided guided tours of the facilities and has received a positive response and | No claims have been filed to date. |

| Expected Results | Performance Indicators | Targets | Performance Status | Performance Summary |
|---|---|---|---|---|
| | | Resolve concerns and emerging issues as soon as practicable, without attributable delay. | feedback. | |
| Provision of necessary tools and resources to allow Tribunal Members to perform their duties across Canada. | Level of satisfaction with the services provided, such as quality of work, tools, resources, and timeliness of services. | Internal client satisfaction with quality of work and resources, measured by implementing an objective survey and seeking judicial feedback. | Cannot be assessed.<br><br>Tribunal not operational.<br><br>Development of a system to monitor and evaluate internal client satisfaction in relation to the tools, resources available for conduct of Tribunal hearings, and case management - with reports generated quarterly.<br><br>Asset Performance Reports to evaluate the performance of Information Technology Assets.<br><br>Completed renovation of office space and a culturally sensitive Multipurpose Tribunal Room that meets the | The electronic registry and case management system are under development and will be finalized once the Rules of Practice and Procedure have been established. |

| Expected Results | Performance Indicators | Targets | Performance Status | Performance Summary |
|---|---|---|---|---|
| | | | business needs of the Registry, the Tribunal Members, and Tribunal clients. | |

## Benefits for Canadians

*Canada's Performance 2006* is divided into four key policy areas: economic, social, international, and government affairs. The Registry supports the Specific Claims Tribunal, whose existence is a visible sign of the mutual commitment of the Government of Canada and First Nations to work together to resolve issues in an environment which respects the cultures, perspectives, and histories of participants. The Registry's strategic outcome is aligned with *Social Affairs: A Vibrant Canadian Culture and Heritage*.

The work of the Registry and the Specific Claims Tribunal will provide long-term benefits for Canadians through the efficient and effective resolution of outstanding specific claims across Canada. The Tribunal will serve as an alternative to often costly litigation and negotiation. Monetary compensation for certain First Nation losses will provide First Nations with capital for investment in their communities, contributing to the prosperity of First Nations in Canada.

Resolution of specific claims creates certainty for participants and supports reconciliation. Strengthened relations between First Nations and the Government of Canada and between First Nations and the Canadian public at large improve communications, reduce conflict, and increase opportunities for collaboration and mutual support.

## Performance Analysis

The Registry's primary objective in 2009-10 was to establish the core infrastructure and services needed for ongoing Tribunal operations. Careful attention was paid to human resources and business planning. Many key corporate policies were established and core corporate management positions were staffed. Work was completed on Registry and Tribunal office space and a Multipurpose Tribunal Room was built to serve as the electronic hub for Tribunal proceedings. This room incorporates a number of First Nations' cultural symbols and is designed to support the culturally sensitive hearings envisioned in the legislation.

Staffing was a priority. By the end of the reporting period, the Registry had classified and staffed key corporate management positions and was preparing to staff a number of the remaining positions. Corporate support positions will be staffed early in the next reporting period. Registry Services positions will be staffed once the Rules of Practice and Procedure are finalized and job descriptions have been completed. Aboriginal perspectives and culture have been identified as an organizational need.

The Registry did initial business planning for the effective, transparent, and accountable use of public resources and completed Main Estimates, the Report on Plans and Priorities, and internal financial policies and procedures. Close attention to financial accountability and stewardship resulted in operating expenditures falling well within the Registry's allocation.

As part of its strategic planning, the Registry participated in a number of court technology and court administration conferences to get up-to-date information on international court administration best practices and on advances in electronic administration and case management which could be applied to meet the special requirements of the Tribunal. A reliable and cost effective case management system was selected. The Registry contracted for the development and implementation of software and hardware to meet operational requirements and lay the foundation for an electronic registry and case management system. Once the Tribunal's Rules of Practice and Procedure have been developed, the electronic registry and case management system will be implemented in a manner that is consistent with the Rules of Practice and Procedure.

In its work, the Registry has been very mindful of the unique mandate of the Specific Claims Tribunal and its objective of timely resolution of longstanding historical grievances of First Nations across Canada. It has worked hard to engage and inform key stakeholders - including First Nations organizations, legal practitioners, provincial and federal departmental partners, and the judiciary - on its progress and direction, through regular meetings, conferences, and information sessions and through use of the Registry's Website and communications materials. The Registry has participated in Aboriginal litigation conferences and stakeholder meetings to get information and advice on how best to proceed in setting up Registry services to support the Tribunal and it has done significant research to support the work of the interim Tribunal.

Although a great deal of work remains to be done, much has been accomplished. The Registry is pleased with the progress made toward implementation of leading edge court practices and technology to create a capable and cost effective electronic registry and case management system

technology to create a capable and cost effective electronic registry and case management system and a Multipurpose Tribunal Room which can act as the electronic hub for the administration of Tribunal proceedings wherever they may take place across Canada. The Multipurpose Tribunal Room also incorporates cultural elements from First Nations cultures and, in doing so, will serve as a concrete symbol of the unique mandate of the Tribunal and the commitment of the parties who created it. In the days ahead, the Registry will continue to make special efforts to keep stakeholders well informed of developments at the Tribunal through use of the Registry's Website, communications materials, meetings and presentations.

## Lessons Learned

The Registry has benefited from advice and support from other adjudicative tribunal and court services and from the various stakeholders involved in the creation of the Tribunal. The introduction of best practices from other organizations and the leveraging of resources through the effective use of technology and service agreements has made it possible for the Registry to put certain key elements in place efficiently.

Some uncertainty and delays to the development and implementation of Registry operations have been encountered. However, the Registry continues to make significant progress. Work that is underway can be adapted to requirements once the Tribunal has finalized the Rules of Practice and Procedure and there is greater certainty respecting the conduct of case management activities and hearings and decisions respecting location and composition of the Tribunal.

# SECTION III: SUPPLEMENTARY INFORMATION

## Financial Highlights

**($ thousands)**

| Condensed Statement of Financial Position<br>At end of Fiscal Year (March 31, 2010) | % Change | 2008–09 | 2009–10 |
|---|---|---|---|
| ASSETS | N/A | N/A | 1,303.9 |
| **Total Assets** | N/A | N/A | 1,303.9 |
| **TOTAL** | N/A | N/A | 1,303.9 |
| LIABILITIES | N/A | N/A | 716.9 |
| **Total Liabilities** | N/A | N/A | 716.9 |
| EQUITY | N/A | N/A | 587.0 |
| **Total Equity** | N/A | N/A | 587.0 |
| **TOTAL** | N/A | N/A | 1,303.9 |

**($ thousands)**

| Condensed Statement of Operations<br>At end of Fiscal Year (March 31, 2010) | % Change | 2008–09 | 2009–10 |
|---|---|---|---|
| EXPENSES | N/A | N/A | 2,076.0 |
| **Total Expenses** | N/A | N/A | 2,076.0 |
| REVENUES | N/A | N/A | 0.3 |
| **Total Revenues** | N/A | N/A | 0.3 |
| **NET COST OF OPERATIONS** | N/A | N/A | 2,075.7 |

## Financial Statements

The following electronic link will bring you to the organization's financial statements available on the Registry of the Specific Claims Tribunal website:

http://www.sct-trp.ca/repor/FS0910_e.htm

## List of Supplementary Information Tables

*All electronic supplementary information tables found in the 2009–10 Departmental Performance Report can be found on the Treasury Board of Canada Secretariat's website at: http://www.tbs-sct.gc.ca/dpr-rmr/2009-2010/index-eng.asp.*